

To: Operations & Scheduling Committee

Date: 5/01/2018

From: Rashida Kamara, Manager of Accessible Services

Reviewed by:

SUBJECT: Late Cancellation/No-Show Policy Change

Background:

The LINK system has a Late Cancellation/No-Show Policy that was adopted by the Board and sets out penalties for multiple late cancellations or no-shows. The Federal Transit Administration Triennial Review done in 2012 and 2015 found that the policy does not adequately spell out that a “pattern or practice” of late cancellations or no-shows is what triggers penalties.

The U.S.DOT regulations implementing ADA address the issue of no-show policies in ADA complementary paratransit programs. Specifically, 49 CFR 37.125(h) states that:

The entity may establish an administrative process to suspend, for a reasonable period of time, the provision of complementary paratransit service to ADA paratransit eligible individuals who establish a pattern or practice of missing scheduled trips.

Current Procedure:

An individual who demonstrates a pattern or practice of repeated late cancellations or no-shows without sufficient notice is in violation of the Late Cancellation/No-Show Policy.

An individual who violates the Late Cancellation/No-Show Policy is subject to a loss of service for thirty (30) days for the first violation, sixty (60) days for the second violation, and ninety (90) days for the third violation in a calendar year. Sufficient notice is defined as twenty-four (24hrs) hours prior to pick-up time in determining cancellations and one hour prior to pick-up time in determining no-shows.

The current procedures include the following issues; our current policy does not allow a warning to be given in order for the passenger to correct the pattern of behavior, and 2 late cancellations or no-shows in a month does not necessarily constitute a pattern of behavior. In addition, our cancellation policy is considered unreasonable as recommended by the FTA Circular.

Proposed Late Cancellation/No-show Procedure:

In order to improve the existing system, staff recommends the following; shorten the cancellation window from 24 hours to 1 hour before the beginning of the pick-up window, and the No-show to anything within 1 hour of the pick-up time.

Suspensions should progressively increase in penalty from 30 days, 60 days, then 90-day within a calendar quarter for 6 No-shows.

Calendar Quarters:

Q1: January 1 to March 31

Q2: April 1 to June 30

Q3: July 1 to September 30

Q4: October 1 to December 31

A passenger would be warned in writing when they have accrued four (4) late cancellations or no-shows in a quarter. They are not penalized for late cancellations or no-shows that occur because of sudden emergencies, which make it impossible for them to cancel less than one (1hr) hour before their trip or not report for their trip at all.

Upon receiving six (6) No-Shows, they will be given a suspension letter.

If a passenger has been served a suspension and then continue to show a pattern of no-shows after their original suspension has ended, they may subsequently be suspended for longer periods. As in the existing policy, the passenger will still have the right to appeal the suspension.

First Suspension: 30 days

Second Suspension: 60 days

Third Suspension: 90 days

Recommendation:

Staff recommends that the Committee request the Board to approve the proposed changes to the Late Cancellation/No-Show Policy to:

- Include language specifying that a pattern or practice of no-shows is required.
- Adopt a more realistic procedure that captures a pattern and allows LINK staff to warn the passenger, potentially correcting the behavior.
- Reduce the Late Cancellation from 24 hours to 1 hour

Financial Implications:

An appropriately managed No-Show policy has the potential of improving deployment of LINK resources and thus reducing expenses. At this time is not possible to provide a reasonable estimate of potential efficiency gains.

Options:

- 1) Approve recommendation
- 2) Decline recommendation
- 3) Other